

Green, LindaE

From: Todd Scher <tscher@arsquared.org>
Sent: Thursday, April 07, 2016 3:42 PM
To: FOIA HQ
Subject: Freedom of Information Act Request
Attachments: foia request NRDC-EPA.docx



1555 Wilson Boulevard, Suite 307, Arlington, VA 22209

April 7, 2016

VIA EMAIL: hq.foia@epa.gov

Larry Gottesman
National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, D.C. 20460

Dear Mr. Gottesman:

Since 2008, the Environmental Protection Agency has awarded eight grants¹ to the Natural Resources Defense Council (NRDC). Pursuant to the Freedom of Information Act (FOIA), America Rising Squared (AR2) requests access to the following records concerning the above-referenced grants:

- A) All communications among EPA officials regarding the above mentioned grants between July 1st, 2007 and December 31st, 2015.
- B) All communications between EPA officials and NRDC officials² regarding the above mentioned grants between July 1st, 2007 and December 31st, 2015.

For fee purposes, AR2 should be treated as a “representative of the news media” pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II). AR2 is a nonprofit organization whose mission is to promote conservative perspectives on public policy issues, including transparency and open government. To this end, AR2 gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience. *See, e.g., AR2, Research Briefing Book: The Labor Boss Lifestyle* (Oct. 7, 2015), available at <http://www.arsquared.org/labor-boss-lifestyle/>. AR2’s distinct works are distributed to the public primarily through AR2’s website: www.arsquared.org. AR2 also disseminates news to the public via YouTube, Twitter and Facebook. As such, multiple federal agencies have recognized AR2 as a news media entity for FOIA purposes.³

¹ Date awarded: 7/24/2008. Grant/Award #: 83379901. CFDA program #: 66.034.
Date awarded: 9/15/2009. Grant/Award #: 83379901. CFDA program #: 66.034.
Date awarded: 11/10/2010. Grant/Award #: 83379901. CFDA program #: 66.034.
Date awarded: 7/15/2011. Grant/Award #: 83379901. CFDA program #: 66.034.
Date awarded: 9/1/2011. Grant/Award #: 83600201. CFDA program #: 66.034.
Date awarded: 9/26/2012. Grant/Award #: 83600201. CFDA program #: 66.034.
Date awarded: 8/14/2014. Grant/Award #: 83600201. CFDA program #: 66.034.
Date awarded: 7/17/2015. Grant/Award #: 83600201. CFDA program #: 66.034.

² To facilitate the agency’s search, please note that the email domain address of the NRDC is “@nrdc.org.”

³ *See, e.g.,* Broad. Bd. Governors, FOIA #16-001 (Nov. 10, 2015); Consumer Fin. Prot. Bureau, CFPB-2016-041-F (Oct. 27, 2015); Dep’t of the Interior, Office of Inspector Gen., OIG-2016-00007 (Oct. 23, 2015) (all on file with AR2).

AR2 is willing to pay duplication fees up to \$25.00. In order to minimize such fees, AR2 is willing to accept records in electronic format and/or two-sided copies. If fees are expected to exceed \$25.00, or if you have any questions, please contact Todd Scher at (703) 539-2186 or tscher@arsquared.org.

Thank you in advance for your time and assistance.

Sincerely,

/s/
Todd Scher
